

Message Text

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ACTION EUR-12

INFO OCT-01 AF-06 ISO-00 SAM-01 CIAE-00 PM-03 H-02 INR-07

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FM AMEMBASSY LISBON

TO SECSTATE WASHDC 2289

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMCONSUL LOURENCO MARQUES

AMCONSUL LUANDA

AMEMBASSY MADRID

AMEMBASSY PARIS

USMISSION NATO

DIA WASHDC

USCINCEUR VAIHINGEN GER

AMCONSUL OPORTO

AMCONSUL PONTA DELGADA

C O N F I D E N T I A L LISBON 1781

E.O. 11652: GDS

TAGS: PINT, PO

SUBJ: PENALTIES FOR DISRUPTING ELECTIONS STIFFENED

REF: LISBON 1730

1. THE REVOLUTIONARY COUNCIL PASSED AND PRESIDENT COSTA GOMES SIGNED MARCH 27 A NEW DECREE-LAW ESTABLISHING SEVERE LEGAL PENALTIES, INCLUDING UP TO 8 YEARS IN PRISON AND HEAVY FINES, FOR PERSONS WHO HINDER, IMPEDE OR DISCREDIT ELECTORAL PROCESS. DECREE-LAW TAKES EFFECT IMMEDIATELY.

2. NEW LEGISLATION ALLOWS MILITARY AUTHORITIES TO APPREHEND THOSE WHO VIOLATE PROVISIONS OF ELECTORAL LEGISLATION, AND TO HOLD THEM FOR UP TO 30 DAYS BEFORE TURNING THEM OVER TO CIVILIAN
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AUTHORITIES (IF NOT SUBJECT MILITARY JURISDICTION), BOND

MAY NO BE GRANTED TO VIOLATORS OF THIS DECREE-LAW.

3. COMMENT: NEW LEGISLATION CONSIDERABLY STIFFENS PENALTIES ESTABLISHED IN ORIGINAL ELECTORAL LEGISLATION FOR PERSONS WHO DISRPUT ELECTIONS. STIFFENING OF LEGAL PENALTIES MAY BE RESPONSE TO INCREASING FOREIGN EXPRESSIONS OF CONCERN OVER ELECTORAL VIOLENCE (HIGHLIGHTED BY NATO DEMARCHES ON SUBJECT TO PRESIDENT COSTA GOMES DURING LAST WEEK) AND A THREAT TO FAR LEFTIST LIKE MRPP WHO SAY THEY WILL DISRUPT THE ELECTIONS (REFTEL).

4. IT IS DOUBTFUL THAT THE NEW PENALTIES WILL BE EFFECTIVE IN CURBING ELECTORAL DISRUPTIONS. FACT IS THAT LAWS ALREADY ON THE BOOKS IN THIS FIELD HAVE NOT BEEN ENFORCED BY CIVIL OR MILITARY AUTHORITIES AND FAR LEFTISTS ARE PERSISTENT. HOWEVER, NEW PROVISION ALLOWING MILITARY TO KEEP ELECTORAL VIOLATORS 30 DAYS IN JAIL (PRESUMABLY WITHOUT CHARGES) MEANS TROUBLEMAKERS CAN BE KEPT OUT OF CIRCULATION UNTIL ELECTIO ARE OVER. IF THE MILITARY AUTHORITIES HAVE THE WILL, THEY HAVE THE LEGAL TOOLS TO KEEP THE ELECTIONS NON-VIOLENT.
CARLUCCI

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